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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

ROLAND NATOLI and BARBARA
NATOLI,

Plaintiffs,

v.

TIFFIN MOTOR HOMES, INC., a
Corporation, and DOES 1 through 100,
inclusive,

Defendants.

CASE NO: 08-CV-879 W (WMc)

JOINT REPORT FOLLOWING RULE 26
(f) CONFERENCE AND DISCOVERY
PLAN

CMC Date: 8/15/08

CMC Time: 9:30 AM (Telephonic)

CMC Judge: Hon. William McCurine, Jr.

CMC Dept: C

The Parties jointly submit the following Report and Discovery Plan:

I. Discovery Plan

A. Rule 26(f)(1): Changes to Rule 26(a) disclosures:

The parties believe that no changes to the Rule 26(a) rules are needed.
Rule 26(a)(1) initial disclosures shall be made according to the court's July 1,
2008 Order Following Early Neutral Evaluation Conference.

B. Rule 26(f)(2):

1) Subjects on which discovery may be needed:

1. Liability under Song-Beverly.
2. Liability for civil penalty under Song-Beverly.
3. Affirmative defenses.

a) Written Discovery

Plaintiffs:

1. Written interrogatories, requests for admission and requests for production to be propounded to Defendant Freightliner.

Defendant Tiffin:

1. Request for production of documents, special interrogatories and requests for admissions to plaintiffs and Freightliner.

Defendant Freightliner Custom Chassis Corporation:

1. Written interrogatories, request for admissions, demand for production of documents to be propounded to plaintiff and Tiffin Motorhomes.

b) DepositionsPlaintiffs

DEPONENT	ADDRESS	TELEPHONE	SUBJECT MATTER
La Mesa RV service personnel	Known to parties	Known to parties	Repair history of coach
On the Border service personnel	Known to parties	Known to parties	Repair history of coach
Freightliner PMQ re manufacture of coach	Known to Freightliner	Known to Freightliner	Manufacture of coach
Freightliner PMQ re warranty claim history of	Known to Freightliner	Known to Freightliner	Warranty claims history of coach

1	coach			
2	Tiffin PMQ re	Known to Tiffin	Known to Tiffin	Manufacture of
3	manufacture			coach
4	of coach			
5	Tiffin PMQ re	Known to Tiffin	Known to Tiffin	Warranty claims
6	warranty claim			history of coach
7	history of			
8	coach			
9	Tiffin PMQ re	Known to Tiffin	Known to Tiffin	Requests for
10	requests for			repurchase of
11	repurchase of			the coach
12	the coach			
13	Tiffin PMQ re	Known to Tiffin	Known to Tiffin	Policies and
14	policies and			procedures for
15	procedures for			handling
16	handling			requests for
17	requests for			repurchase
18	repurchase			
19	Bob Tiffin	Known to Tiffin	Known to Tiffin	Communications
20				with Plaintiffs
21	Ken Neal	Known to Tiffin	Known to Tiffin	Communications
22				with Plaintiffs

23

24 In addition, Plaintiffs anticipate taking the depositions of any percipient

25 witnesses identified in Defendants' discovery responses or in the testimony of

26 the above witnesses.

27 Defendant Tiffin:

DEPONENT	ADDRESS	TELEPHONE	SUBJECT MATTER
Ben McBride	17388 Oaks Ave. Chino, CA 91710	800-421-7788	Repairs to coach and communications with plaintiff
Steve Horton	Known to Freightliner	Known to Freightliner	Repair history of coach, Freightliner's warranty repairs and response to plaintiffs' request for repurchase/replacement
John Sanchez, On the Border Freightliner	Known to Parties	Known to Parties	Repairs to motor home
Freightliner PMQ re policies and procedures for handling requests for repurchase	Known to Freightliner	Known to Freightliner	Plaintiffs' request for repurchase or replacement

Defendant Tiffin also intends to depose any witness included in this report by any other party or witnesses disclosed in discovery.

Defendant Freightliner ("FCCC")

Plaintiff's Roland and Barbara Natoli: Address is known to all parties. Subject matter includes purchase of subject unit, travel and repair history with subject unit, correspondence with defendants and repairs facilities for defendants. Inasmuch as Defendant Tiffin has already conducted a deposition of Plaintiff Roland Natoli, and Mr. Natoli is in ill health and undergoing chemotherapy for cancer, the parties have agreed that his deposition will be limited to no more than a half day and will not unnecessarily duplicate the prior deposition.

Person most knowledgeable at On the Border Freightliner located in El Paso, Texas. Subject matter to be covered includes service and repairs performed on the subject motor home.

1 Person most knowledgeable at Los Angeles Freightliner. Subject matter
2 to be covered includes service and repairs performed on the subject motor
3 home.

4 Person most knowledgeable at Tiffin Motorhomes: Subject matter
5 includes the design and assembly of the box portion of the motor home onto the
6 bare chassis, correspondence or communications with FCCC regarding the
7 plaintiffs and/or the subject motor home, communications with plaintiffs
8 regarding the subject motor home.

9 Marlin Saint of Tiffin Motorhomes: Subject matter includes Tiffin
10 Motorhomes role in assembly of ECM connectors during the Tiffin
11 manufacturing process.

12 In addition, FCCC anticipates taking the depositions of any percipient
13 witnesses identified in plaintiff's discovery responses or in the testimony of the
14 above witnesses.

15 FCCC needs to perform an inspection of the subject motorhome.

16 The parties expect to be able to conclude discovery within 90 days, and
17 request that the court set a non-expert discovery cut-off date based upon an
18 estimated trial date of March 2009.

19 **c) Expert Discovery**

20 Depending upon the information obtained in discovery, the parties will
21 decide whether expert witnesses will be designated to testify at trial. If expert
22 witnesses are designated to testify, then the parties anticipate deposing each
23 named expert witness.

24 The parties request that the court set an expert discovery cut-off date
25 based upon an estimated trial date of March, 2009.

26 **3) Whether discovery should be conducted in Phases**

27 The parties agree discovery need not be conducted in phases and no
28 order in this regard is necessary.

1 **4) Rule 26(f)(3): Changes to limitations on discovery**

2 The parties do not believe that any changes should be made to the
3 limitations on discovery imposed by the federal or local rules.

4 **C. Rule 26(f)(4): Other Orders**

5 The parties agree that the written discovery, discovery responses and
6 deposition testimony obtained prior to removal to this Court shall be deemed
7 admissible in this action and agree that the Court may enter an order to the
8 effect.

9 **II. Possible Joinder of Additional Parties**

10 The parties do not anticipate joining any additional parties.

11 **III. Complex Case**

12 This is not a complex case.

13 **IV. Trial Estimate**

14 A. The parties estimate a 5-7 day jury trial.

15 B. The parties propose a trial date in March 2009.

16 DATED: August 4, 2008 SOHN & ASSOCIATES

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20 Dated: August 4, 2008 GATES, O'DOHERTY, GONTER & GUY, LLP

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25 DATED: August 4, 2008 MURCHISON & CUMMING, LLP

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